

# **A PROGRAM MANAGER TALKS: WHAT CONTRACTORS SHOULD KNOW**

***Deanna J. Bennett***

In July 1997 U.S. Special Operations Command (USSOCOM) awarded three systems engineering and technical assistance (SETA) support contracts. Each contract has a \$150 million ceiling over the five-year contract life. The contractors were selected under a formal acquisition process. Some new strategies available under acquisition reform/streamlining were used in the solicitation and evaluation.

My recent experience as the program manager for USSOCOM's SETA acquisition has shown me that, despite the drive for open government communication and despite the years of contractors competing under substantially the same rules (with some adjustments at the margin because of acquisition reform and streamlining), too many contractors continue to hold misapprehensions about the government competitive acquisition process, penalize themselves through lack of understanding of the process, and make tactical as well as factual mistakes in the proposal preparation and discussion processes.

**T**he purpose of the competitive acquisition process is not to weed out the unqualified (though this occurs as a by-product of the process) but to be able to make an informed selection from competent, qualified competitors. The purpose of this article is to share some of the lessons I've learned over my 25-year career in the Department of Defense (DoD) acquisition business about what contractors do wrong, specifically with respect to services type contracts, so they can become better competitors in the acquisition process. Although my USSOCOM SETA

acquisition experience precipitated this article, the examples and observations I make follow from the large number of acquisitions I've been associated with during my career.

## **UNDERSTAND THE ACQUISITION PROCESS**

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### **FACE TIME DOESN'T COUNT**

This is a truth much denied in practice by industry. The formal acquisition process is built on objective evaluation of the proposal. Presenting information briefings

and getting “face time” with the program manager or the source selection authority or anyone else you presume is involved in the process counts for nothing in the acquisition process. It isn’t your marketing manager or program manager but your proposal that talks. (On the other hand, do take every opportunity in all forums to gain information about the customer’s requirements.)

### **PLAY BY THE RULES**

There is a way to negatively influence the government’s perception of your company and possibly elicit unwanted government attention for your company. That is to attempt to get additional or insider or advance information about the proposal or its details. Word does get back to the contracting officer if a contractor has contacted government personnel to elicit information, and your company will receive direction from the contracting officer to play by the rules.

### **UNDERSTAND THE BASIC PROCESS**

The basic underpinnings of the acquisition process are objectivity and fairness. All offerors submit proposals against the same Request for Proposal (RFP) containing the same statement of work and the same proposal instructions. All offerors are evaluated against the same objective evaluation criteria. The selection is made

based on the criteria established by the program office and published in the RFP. In general, at the most detailed level of evaluation, technical proposals are evaluated by individuals who have no access to the cost proposal. Cost and other sections of proposals are evaluated separately. At the next higher level, the results of all facets of the evaluation (e.g., technical, cost, management, past performance) are reviewed to give a full understanding of each proposal, proposals are compared with each other (using the results of evaluation against the objective evaluation criteria), and a recommendation for award is made. The Source Selection Authority, the highest level in the process, uses all the information and the recommendation in deciding on contract award.

### **GET AS MUCH INFORMATION UP FRONT AS POSSIBLE**

Have the right people in the loop to gather the information. If there is a pre-solicitation conference or a pre-proposal conference or other forum for information exchange between the government and industry, have your program manager and contracts people attend, not just your marketing manager. (See “Face Time Doesn’t Count” above.) Regularly access the agency’s Web pages for up to date information. If you have questions, ask in whatever forum is available.

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## **READ THE SOLICITATION**

The three most important parts of any RFP that are essential to understanding the process applicable to any competitive acquisition are Sections L and M and the Statement of Work. Read and understand these completely. There will be a quiz—it's your proposal!

## **PREPARE A SOUND PROPOSAL**

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### **UNDERSTAND WHAT'S IN SECTION L**

Section L contains proposal instructions. If there are page limitations on all or parts of your proposal and direction regarding type fonts, diagrams, and illustrations, they will be in Section L. Section L also defines proposal format and structure: what information should be contained in what format and in which volume of your proposal. Importantly, Section L also defines the substance of the proposal.

### **DON'T MAKE AVOIDABLE SECTION L MISTAKES**

Read the instructions carefully! Too many times offerors make simple mistakes resulting from not following instructions contained in Section L. Most often the result is a lower evaluation rating. There are a number of easily avoidable, but common mistakes.

**Exceeding page limits.** A page limit seems like a very simple instruction to follow; however, occasionally an offeror will waste time and effort to produce pages that are never seen by any evaluator. Anything submitted above the page limit is removed from your proposal and disregarded in the evaluation process. Some-

times the pages are sent back to you. Another strategy used is equally futile: You cannot get around a page limit by referencing another part of the proposal containing additional information. The evaluation teams will evaluate only the specified number of pages in their assigned section of the proposal. Write to the point and fit into the allotted page limit.

**Putting information in the wrong place.** This has the same effect as submitting too many pages. For example, putting footnotes in your cost proposal that expand on or clarify fine points in your technical proposal for a services type of contract may have no effect on technical evaluation: Technical evaluation teams have no access to the cost proposals and may never see the footnotes.

**Assuming evaluation team osmosis.** Putting something in one section of a proposal does not guarantee that evaluators of another section will read or be aware of it through some kind of team mental osmosis. For example, if a particularly innovative process is proposed that bears both on the overall

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management of contract performance and on a production process, describing it only in the management proposal may mean that the technical evaluators are completely unaware of it or its applicability to the production process. Your proposal may fail to receive credit for your innovation. Or you may have to amend your proposal during the negotiation process so that the

technical evaluators have a clear understanding of your complete strategy. If there are page limits and restrictions on proposal amendment such as we had in USSOCOM's SETA solicitation, this can be a serious oversight.

**Not addressing all proposal requirements.** It seems to be common sense to address all requirements in your proposal, but this is an egregious and too-frequent proposal error. You must provide whatever information the RFP requests in the specified location and format. If the instructions for your proposal say to address all the issues in paragraph 3.a, specifically address all the issues in paragraph 3.a. If the instructions say to provide a diagram of a

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process, provide a diagram of the process. Not doing so immediately provides an advantage to your competitors who can read and follow instructions. Further, it may gener-

ate evaluation weaknesses or deficiencies for your proposal that, depending on the specific source selection process, may or may not be recoverable. Before submission do a traceability matrix of Section L requirements against your proposal and make sure everything is there!

**Ignoring personnel qualification requirements.** Often the government's Statement of Work will specify labor categories and define the personnel qualifications for the labor category. Once a contract is awarded, there is latitude to occasionally waive an educational or other re-

quirement based on an individual's unique experience or other qualifications. However, your proposal is not the place to ignore the requirement for a master's degree and propose the maritime design genius who only has a high school education. It will count against you. Read the education and experience requirements and make sure that the resumes submitted against each category clearly show that the individuals proposed meet these requirements.

### **DON'T PASS OVERSIGHT ALONG WITH TASKING TO SUBCONTRACTORS**

The most effective and efficient way to respond to solicitations that require distinctly separated kinds of expertise may be to assign parts of the proposals to subcontractors to prepare. This could be done easily with the four distinct sample tasks we issued in the SETA-II solicitation. It is especially important with new subcontractors that you do not pass oversight responsibility along with the task. Ensure that as the prime contractor you subject the subcontractor-prepared parts of the proposal to the same rigorous management oversight and "red team" (in-house adversarial review) as the work you retain. If you use groupware for networked proposal development, make the subcontractor use the same system and give you access to it so you can perform progress and reality checks along the way without impeding the process. An unsupervised subcontractor can cripple the proposal of the prime.

### **PLAN ON WORKING HOLIDAYS**

It is not a deliberate plot on the part of the government, but prime time for release

of solicitations for award of operations and maintenance (O&M) funded Contract Advisory and Assistance Services (CAAS) contracts tends to be September through December. This is so contracts can be awarded in the March to June time frame. There is a fiscal year funds flow that makes this optimum. First, the amount of contract funding that is available is not known for certain until the budget is passed (which has no better than a 50-50 chance of occurring by the required October 1 date), and second, it takes time for the government funds distribution process to make these funds available to spend. Because of the budget cycle interruptions, executing new contracts in the October through December period is difficult to accomplish and rarely planned, especially for new services types of contracts. Also, in the DoD O&M funds expire at midnight on September 30, so planning an award in March to June gives the government 4 to 6 months in which to expend the current year funds under contract and get utility from the contract before having to do the administrative contract work to exercise the next year's contract option. This funding cycle never makes for a Merry Christmas for industry.

## **UNDERSTAND HOW THE EVALUATION WILL WORK**

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### **KNOW WHAT'S IN SECTION M**

Understanding Section M prevents unpleasant surprises later on and should form the basis for your proposal strategy. Section M always defines the evaluation criteria and the relative importance of the evaluation criteria. Each solicitation has

its own rules within the overall acquisition requirements and regulations and always defines the process and the basis for award in Section M of the Request for Proposal. For example, solicitations often present opportunities to offerors to submit proposal changes to repair deficiencies the government has found during proposal evaluation. This was different in USSOCOM's SETA acquisition. A substantial part of our evaluation rested on the responses to four sample tasks that represented

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core support requirements for the command. In order to preclude technical leveling, we did not permit changes to the responses to these tasks and so indicated in Section M of our RFP. Anyone who assumed they'd have a "get well" opportunity for the most important part of the technical/management proposal was wrong.

## **HOW TO HANDLE MULTIPLE COMPETITIVE RANGE DETERMINATIONS**

The objective of a competitive range determination is to identify proposals that are unlikely to be viable competitors for contract award and remove them from further consideration in the evaluation process. Acquisition streamlining guidance suggests progressively decreasing the number of competitors through multiple competitive range determinations at logi-

cal points in the source selection process. If multiple competitive range determinations will be made, Section M of the RFP

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will inform industry of the fact and will provide the basis on which offerors will be removed from competition at each determination. Industry

has the right to protest such decisions. Don't protest unless you have an extraordinarily compelling case: although newest guidance says "when in doubt, throw them out," in the early stages of competition the government tends to be conservative in removing contractors from competition: Generally, if there's any doubt, a contractor will be left in. Accept an early cut from the competition and appreciate the fact that it is a way of saving you and the government time, money, and effort that have a significantly high probability of being futile. Protesting your removal from the competition will only run up legal fees, delay the acquisition process, and almost certainly guarantee merely delaying your loss of the competitive award to a later date. In any case, do request a debriefing either at the time you are removed from competition or after final contract award (when data on winning proposals is available) to learn where you were deficient.

### **STRATEGIZE BASED ON THE EVALUATION CRITERIA**

Section M defines proposal evaluation criteria and their relative importance in making the source selection. Naturally an

offeror will want to submit a proposal that receives a high evaluation rating in all areas. But when time gets short, invest your proposal preparation and quality control efforts where they will count most. Except in some special situations (e.g., sealed bid), the government has gone away from the low bid mentality. Generally you will find technical or management approach or a combination being the most important factor in source selection, with cost ranked somewhere lower. As you construct your proposal and red-team it, emphasize the completeness, accuracy, and level of detail in the parts of the proposal that will count most toward source selection. The fact that your proposal is the low-cost proposal is irrelevant if the most important factor is the technical response and your technical proposal is inferior to those of your competitors.

### **RESPOND FULLY TO GOVERNMENT QUESTIONS**

The government may provide questions intended to clarify your proposal or enter into formal discussions with you to permit you to amend your proposal and clear deficiencies. It is important that you respond fully and completely. The objectives of these interchanges are to allow the evaluators to fully understand your proposal and to allow the government to have a choice among fully qualified offerors. The questions are not intended to "trip you up" or "level the playing field," but to solicit information to ensure a fair and complete evaluation occurs.

### **GIVE YOURSELF FLEXIBILITY IN ORAL PROPOSALS**

Carefully read the rules pertaining to oral presentations in sections L and M; understand how the orals will work; pre-

pare for oral presentations at the detail level; but, provide the government higher level advance information. This will give you some flexibility, even under a “no amendment” situation. In USSOCOM’s SETA acquisition we required submission of hard copies of slides to be used in the oral presentations as part of proposals and offered the option of also submitting bulleted talking notes. The intention was to prepare the evaluators by giving them an opportunity to understand the general gist of the proposal before actually hearing it presented. However, some submissions were in such great detail that they virtually constituted a written proposal. These proposals locked themselves in. Since no amendment to orally presented sample tasks was permitted, the government could not accept corrections or updates in the presentation or in response to questions and answers. For example, if your advance slide said “300-person database of qualified technical personnel” and by the time of the oral presentations you had expanded it to a database of more than 1,000 qualified technical personnel,

changing the number would constitute unacceptable amendment. However had the slide and notes said “large personnel resource database” you could have explained in your presentation that the database had applications from 1,000 people.

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## **CONCLUSION**

A large number of businesses can provide government CAAS support services, so there is serious competition for these contracts. The acquisition process is designed to support an informed selection from competent, qualified competitors. Simple oversights and misunderstandings can handicap an otherwise acceptable proposal. Red teams or other internal reviews can be used to ensure a complete, thorough, and properly focused proposal is submitted. Acting with an understanding of acquisition process for each acquisition and complying fully with proposal instructions will enhance an company’s ability to compete.

